

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JULIE SCHMIDT and LEON GERHARD,

Plaintiff,

v.

TACOMA POLICE DEPARTMENT, et al.,

Defendants.

Case No. C09-5135RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon the City Defendants' Motion for a More Definite Statement [Dkt. #12] and upon the State Defendants' Motion to Dismiss and for a More Definite Statement [Dkt. #15]. Having considered the entirety of the records and file herein, the Court finds and rules as follows:

All of the defendants have properly moved for a more definite statement under Fed. R. Civ. P. 12(e). The motions had merit because plaintiffs' original "complaint" was incomprehensible. In response to the motions, plaintiffs filed (albeit untimely under CR 7, Local Rules W.D. Wash., as to the City Defendants' motion) a more detailed statement outlining what they believe to be their claims. [Dkt. #23]. Although it is not a model of pleading or clarity, the more detailed statement provides the defendants with

1 enough information to file an answer or motion under Fed. R. Civ. P. 12. Therefore, the City Defendants'  
2 Motion for a More Definite Statement [Dkt. #12] and the State Defendants' Motion to Dismiss and for a  
3 More Definite Statement [Dkt. #15] are **DENIED**.

4 **IT IS SO ORDERED.**

5 Dated this 20<sup>TH</sup> day of October, 2009.

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8 RONALD B. LEIGHTON  
9 UNITED STATES DISTRICT JUDGE  
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